



RESPONSE TO
REQUEST FOR PROPOSAL
FOR

**SHELBY COUNTY GOVERNMENT
PURCHASING DEPARTMENT**

**RPF#09-002-53
Collection Agency Services
March 6, 2009 at 3:00 pm**

Mendelson Law Firm
799 Estate Place
Memphis, TN 38120
901.763.2500
901.763.2525 (fax)



Mendelson Law Firm
799 Estate Place
Memphis, TN 38120
901.763.2500
901.763.2525 (fax)

February 26, 2009

Nelson Fowler, Manager A
Shelby County Government
160 N. Main, Room 550
Memphis, TN 38103

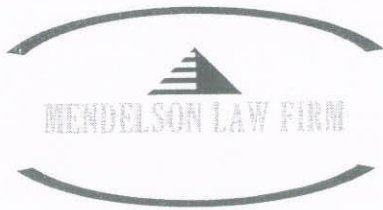
Re: Request for Proposal
Collection Agency Services

Mr. Fowler:

Thank you for the opportunity to reply to your Request for Proposal and the possibility to represent the Shelby County Court's in its collections efforts. Our goal is to represent the best interest of the Shelby County Government while increasing the liquidation rate of overall dollars collected. We welcome the opportunity to be of service to our county. If you have any questions or concerns about this proposal, please do not hesitate to contact me at 901.763.2500, ext. 103 or via my cell at 901.230.0669.

Sincerely,

David Mendelson
Mendelson Law Firm



Mendelson Law Firm
799 Estate Place
Memphis, TN 38120
901.763.2500
901.763.2525 (fax)

ATTACHMENT

Proposal Response Sheet

Collection Agency Services, RFP # 09-002-53

Name of firm: Mendelson Law firm
Firm's Website: _____

Mailing Address:

799 Estate Place
Memphis, TN 38120
Phone: 901-763-2500 xt 103
Fax: 901-763-2525

Remit Address:

799 Estate Place
Memphis, TN 38120
Phone: 901-763-2500 xt 103
Fax: 901-763-2525
Payment Terms: _____

Authorized Representative: [Signature] Print: David Mendelson
Signature (Person authorized to negotiate with the County on behalf of the organization/firm.)
Email address: DMendelson@lawmemphis.com

Authorized Representative: _____ Print: _____
Signature (Person authorized to negotiate with the County on behalf of the organization/firm.)
Email address: _____

The signature (s) above indicates that certifies that:

- (i) the Proposer's signatory is an agent authorized to submit proposals on behalf of the organization/firm;
- (ii) all declarations in the proposal and attachments are true to the best of reasonable knowledge;
- (iii) all aspects of the proposal, including cost, have been determined independently, without consultation with any other prospective Proposer or competitor for the purpose of restricting competition;
- (iv) the offer made in the proposal is firm and binding for 90 days after receipt of the proposal by the County; and
- (v) all aspects of this RFP and the proposal submitted are binding for the duration if this proposal is selected and a contract awarded.

EOC #: EOC-V-0110-14060 (If you do not have a valid EOC #, please contact the EOC Office at 901-545-4336)

_____ Check here if you qualify as a MBE _____, or WBE _____
(Minority or Woman owned Business Enterprise) If so, please indicate the classification below:
☐ African American ☐ Hispanic American ☐ Asian American ☐ Native American ☐ Other

_____ Check here if you qualify as an LOSB (Locally owned Small Business)

RFP UTILIZATION REPORT

	MALE					FEMALE					
	Subtotal	White	African American	Hispanic	Asian Pacific Islander	Other	White	African American	Hispanic	Asian Pacific Islander	Other
Officials and Managers		4					2				
Professionals							5				
Technicians							1				
Sales Workers											
Office and Clerical								1		1	
Crafts workers (Skilled)		2					12	3			
Operative (Semi-Skilled)											
Laborers (Unskilled)											
Service Workers											
Totals		6					20	4		1	31

How was the above information as to race or ethnicity established?
☒ A) Visual Survey ☐ B) Employee Records

Please list the date for employment information reported: 3/2/09 ☐ Other Please Specify:

The Concept of race used by the Equal Employment Opportunity Commission does not denote clear-cut scientific definitions of anthropologic origins. For the purpose of this report an employee may be include in the group to which he or she appears to belong, identities with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic category

NOTE: 1 The Category "HISPANIC" while not a race identification is included as separate race/ethnic category because of the employment discrimination often encountered in this group, for this reason do not include HISPANIC under either "white" or "black".

For the purpose of this report the following race/ethnic categories will be used:

a) The Category "White" (not of Hispanic origins): All persons having origins in any of the original peoples of Europe North Africa or Middle East.

b) The Category "African American persons having origins in any of the original peoples of Africa

c) The Category "Hispanic": All persons of Mexican, Puerto Rican, Cuban, Central or South American. For other Spanish culture regardless of race

d) The Category "Asian or Pacific Islander". All

persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-Continent, or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Islands, and Samoa

e) The Category "American Indian or Alaskan Native": All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation community recognition

Source: Bureau of the Census

RFP UTILIZATION REPORT

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COMPREHENSIVE RESPONSE

How Respondent Can Exceed Requirements

The Mendelson Law Firm is currently serving the collections needs of the City of Germantown, Town of Collierville and the City of Piperton. Our unique and local experience will enable us to leverage our expertise to better serve Shelby County. We have a proven track record, and a history of success via our systematic approach to collections, detailed in this RFP response.

We propose to manage collections for Shelby County Government in an efficient, cost-effective manner with a focus on retaining maximum return while protecting Shelby County Government's best interests. We are governed by the Board of Professional Responsibility and the Tennessee Supreme Court. We have a surety bond which protects against employee theft and a malpractice policy with protection of up to 5 million dollars per claim. We are licensed in Tennessee and Mississippi. Our contacts include properly bonded and licensed co-council throughout the United States, which will allow us to efficiently handle matters when debtors have moved from the state.

The Mendelson Law Firm has been specializing in handling creditor's rights, commercial and retail collections, bankruptcy, insolvency, subrogation, insurance, transportation, consumer banking, business litigation, collections, commercial leasing, commercial bankruptcy, foreclosures and mechanics liens for over 30 years. During this 30 year period, our offices have continuously been located in Shelby County.

How We are Qualified

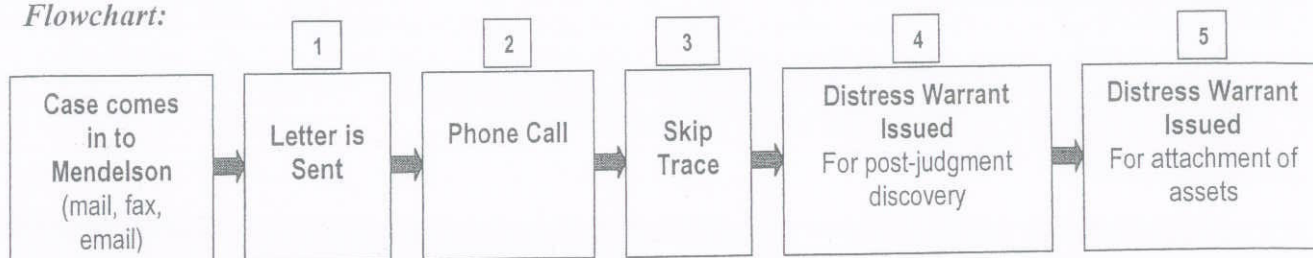
Since our inception, the Mendelson Law Firm's commercial recovery department has represented credit grantors throughout the United States including almost every major commercial collection agency, lenders, manufactures, distributors, banks, and also handled large volumes of insurance, subrogation, and transportation claims. Our attorneys are experienced in both negotiations and litigation of these claims.

Our retail department is equipped to handle large volumes of claims with the most up-to-date technology. Our 'Collection-Master' software allows for numerous status reports and control of our client's inventory so that we may keep the client apprised. Our retail collection department performs work for clients including, but not limited to: Paragon Bank, Unifund CCR Partners, Professional Account Services (Community Healthcare System), Hardin's-Sysco, Medical Financial Services (Baptist Hospital), Collins Financial, Inc., City of Germantown and the Town of Collierville.

The goal of the Mendelson Law Firm is to work to maximize recoveries as quickly as possible while respecting all parties. Our firm is rated "A-V" with Martindale-Hubbell, the highest rating awarded. It is our mission to be the pre-eminent source of professional collection services in Tennessee and Mississippi.

Our Approach

Flowchart:



When a case is referred to our office, whether by mail, fax, electronic data interface, it is downloaded into our system within 24 hours, and a demand letter is sent to the debtor, which complies with the Fair Debt Collection Practices Act. If there is no response to the demand letter, immediate efforts are made to contact the debtor by telephone to attempt to obtain payment in full or an adequate payment arrangement. If amicable payments are not made, our firm would begin skip tracing (handled by our partner Unifund Government Services) to locate the party. If located a distress warrant for post-judgment discovery would be issued, and finally a distress warrant for attachment of assets, if there are no voluntary payments. No case is settled for less than the full amount of the balance due without the client's permission. Any disputes are personally handled by attorneys, not collectors.

If a distress warrant is issued for post-judgment discovery, we utilize a private process server who serves the papers quickly, and we can be in court within a few weeks. If amicable payment arrangements are not made, we can issue garnishments. A garnishment on wages is good for a six-month period, and with certain exceptions, the creditor obtains 25% of the debtor's wages. After the six-month period is over, a new garnishment is issued. If a garnishment is issued on a bank account, we obtain all money held in the bank on the date of attachment.

All monies recovered for each monthly period would be remitted to Shelby County Government on the last business day of each month. Shelby County Government will receive regular, detailed, electronic breakdowns as to your file number, the debtor's name (in alphabetical order), the current balance, how much has been paid in the last month, court costs incurred, attorney fees charged, and a total net check.

Outsourcing:

Mendelson Law Firm would, with the counties permission, outsource appropriate portions of work related to the RFP, to Unifund Government Services (UGS). Unifund is a highly specialized organization that provides forensic debt recovery in the government and consumer receivable markets. Their proven receivables management methodology will allow us to offer Shelby County Government the highest returns on these receivables. Unifund specializes in liquidating distressed and/or defaulted government receivables and has demonstrated

working with several cities, counties and states on collection programs, ranging from tax accounts to motor vehicle fines and fees.

For more information on Unifund, visit <http://www.unifund.com/>.

Capacity:

Mendelson Law Firm currently has over 45,000 active cases, and the capacity to handle thousands of cases each month. At our current workload, we have room for growth, and serving the needs of the Shelby County Government should create no capacity issues whatsoever.

Automation:

Our computer capabilities are through Commercial Legal Software/Collection Master. Founded in 1978, Commercial Legal Software, or CLS, has been faithfully serving debt collection attorneys and agencies across the United States for over 25 years. With more than 700 installations nationwide, they have built an excellent reputation based on innovative software and straightforward business philosophy. Below is an example of the entry form provided by CLS:

CM-63 CLS 1-800-435-7257 - George Station #:671 Version:4.03jy FOR ...

Action Claim Information Debtor Information

Review Open #449 File:99-15862 Time:03:28:51 DEBTORS [5-1]

Client: 323 JPM Test Forwarder File:4024212002188436 Atty:0 Coll:90
 Coco: 0 File: Par:1 Sale:0
 Cred: 0 Creditor's R Us Thru:09/14/2005 Orig\$:7500.00
 MISC DATE 1 2.0548 Status: 001 01/19/1999 Int @10.00% 5021.91
 MISC DATE 2 Doc: 01 03/15/2004 Total \$ Due: 12521.91

DEBTORS = 3

	1 MAIN	Debtor/Dan	973/234-5678 Moonachie NJ
2 2nd	DEBTOR/DEBBIE		
3 3rd	DEBTOR/DONNIE	N	

[F10/Shft-F10 TO SEARCH]

#1 Rel:MAIN Resp Prty: Caption:
 Name:Debtor/Dan SSN #:123-45-6789
 Alias: D/L:P666-333-444-555
 Street:10 Northside Ave Fax #:
 C,S,Z: Moonachie NJ 07088 Phone 1:973/234-5678
 Email: Phone 2:
 HomePg: Dob:08/24/1969 Dod:
 Srv: Typ:
 A F: Dsm:

UNSUPPORTED FUNCTION:-1

Escape

99-15862 | Creditor's R Us V. Debtor/Dan | \$7,500.00/ \$12,521.91

We have the capability to set out a number of reports for Shelby County Government including, but not limited to, the number and dollar amounts of claims referred over any specific period of time.

COST AND FEES

Our fee for collections services would be 35% of all sums collected on matters handled in Tennessee and Mississippi. On matters outside of Tennessee and Mississippi, we would request a fee of 40%. We would respectfully suggest our office handle all Chapter 7, 11 and 13 bankruptcy notices for Shelby County Government. We would do this at a rate of 35% of all sums collected.

All costs advanced by Mendelson Law Firm on behalf of Shelby County Government shall be refunded to Mendelson Law Firm within 10 business days. All court costs recovered will be refunded back to Shelby County Government on the last day of each month, or any monthly day which is convenient to Shelby County Government. There is no charge for postage, credit reports, faxes, credit investigations or long distance telephone calls incurred by office.

All our legal services will be conducted in strict accordance with contract requirements of Shelby County Government and any changes or addendums of any nature at any time in the future.

EXPERIENCE

History

Our law firm was established in 1975. At that time, we began providing legal services to creditors and the credit-granting community in collection and bankruptcy matters. Our office consists of seven attorneys with a total staff of approximately 31 employees all working full-time toward maximum recovery of collection accounts on behalf of our clients.

Practice Areas

The Mendelson Law Firm works in the following practice areas:

- Government Collections
- Creditor's Rights
- Commercial Collections
- Retail Collections
- Bankruptcy
- Insolvency
- Subrogation
- Transportation
- Probate Law

We represent government entities, banks, credit unions, credit card issuers, manufacturers and commercial collections agencies in issues such as:

- Commercial Collections and Litigation
- Creditor Bankruptcy Issues
- Retail Collections
- Foreclosures
- Contracts
- Liens
- Evictions
- Landlord/Tenant Issues
- Receivables Consulting and Management

Memberships and Associations

The Mendelson Law Firm and its staff proudly boast the following memberships and association affiliations:

- Memphis Bar Association
- Tennessee Bar Association
- Mississippi Bar Association

- Commercial Law League of America
- National Association of Chapter 13 Trustee
- National Association of Retail Collection Attorneys
- American Bankruptcy Institute
- National Association of Subrogation Professionals

Personnel

Currently, the Mendelson Law Firm employs 31 individuals. Any employees handling Shelby County Government matters will directly report to David Mendelson. Key staff personnel in this matter include:

◆ Paul I. Mendelson	Attorney at Law
◆ Alan S. Kleiman	Attorney at Law
◆ David L. Mendelson	Attorney at Law
◆ Halle Mitchell	Attorney at Law (also admitted in MS)
◆ Natalie Brown	Attorney at Law (also admitted in MS)
◆ Stephanie Adams Walls	Attorney at Law
◆ Jeffrey Sawyer	Attorney at Law (also admitted in SC)
◆ Stephanie Stroud	Office Manager
◆ Melissa Hughes	IT/EDI Manager
◆ Rhonda Price	Collections Manager

Paul I. Mendelson, (Member) born Memphis, Tennessee, December 9, 1942; admitted to bar, 1967, Tennessee and U.S. District Court, Western and Middle District of Tennessee. **Education:** University of Memphis (B.S., 1964; J.D., 1967). Delta Theta Phi. **Member:** Commercial Law League of America (2003-2004; Past Chair, Southern District; President, Past Board Member; Member, Creditors Rights Executive Committee; Bankruptcy and Insolvency Sections); Memphis Bar Association; Tennessee Bar Association; National Association of Chapter 13 Trustees; National Association of Retail Collection Attorneys. **Practice Areas:** Creditors Rights; Commercial Collections; Retail Collections; Bankruptcy; Insolvency; Subrogation; Transportation.

Alan S. Kleiman, (Associate) born Syracuse, New York, December 31, 1949; admitted to bar, 1981, Tennessee and U.S. District Court, Western District of Tennessee. **Education:** University of Maryland; University of Memphis (B.S., 1971; J.D., 1980). Phi Delta Phi. [With U.S. Army, 1971-1974]. **Practice Areas:** Commercial Collections; Retail Collections; Probate Law; Creditor's Rights; Insolvency; Transportation; Subrogation.

David L. Mendelson, (Associate) born Memphis, Tennessee, December 9, 1968; admitted to bar, 1994, Tennessee and U.S. District Court, Western and Middle Districts of Tennessee. **Education:** University of Missouri (A.B., 1991); University of Tulsa (J.D., 1994). **Member:** Commercial Law League of America (Past-Chair, Southern District; Executive Council, Young

Members Section – Secretary, Treasurer, Chair Elect, Chair). **Practice Areas:** Creditor's Rights; Bankruptcy; Insolvency; Commercial Collections; Retail Collections; Transportation; Subrogation.

Halle Mitchell, (Associate) born Oxford, Mississippi, August 26, 1977; admitted to bar, 2002, Mississippi and U.S. District Court, Northern District of Mississippi; 2003 Tennessee. **Education:** Rhodes College (B.A., 1999); University of Mississippi (J.D., 2002). Phi Delta Phi. **Member:** The Mississippi Bar; Tennessee Bar Association. **Practice Areas:** Creditors Rights; Bankruptcy; Commercial Collections; Retail Collections; Subrogation; Insurance.

Natalie K. Brown, (Associate) born Columbus, Mississippi, August 2, 1977; admitted to Bar, 2002, Mississippi and U.S. District Court, Northern and Southern Districts of Mississippi; 2003, Tennessee. **Education:** University of Alabama (B.A., 1999); University of Mississippi (J.D., 2002). Phi Delta Phi. **Member:** The Mississippi Bar. **Practice Areas:** Creditors Rights; Commercial Collections; Retail Collections; Subrogation.

Stephanie Adams Walls, (Associate) born Charleston, South Carolina, June 16, 1974; admitted to Tennessee bar, 2006. **Education:** University of Mississippi (B.A. 2002; *magna cum laude*), University of Memphis (J.D. 2005, *cum laude*). **Practice Areas:** Commercial Collections; Retail Collections; Creditor's Rights.

Jeffrey Sawyer, (Associate) born Clearwater, SC, February 12, 1980, Admitted to Bar, 2006, South Carolina; 2008, Tennessee. **Education:** The University of South Carolina (B.A., 2002, *cum laude*); University of Arkansas at Little Rock (J.D. 2006). **Practice Areas:** Creditor's Rights; Commercial Collections; Retail Collections; Subrogation

As to quality control procedures, it is our goal to collect the maximum amount of recovery as quickly as possible for our clients, taking into consideration the rights of all individuals we deal with in a respectful, dignified manner.

REFERENCES

Listed below please find the names of various credit grantors, companies, and law firms that forward business to our office on a regular basis that you may contact for information. In each of these matters, our office represents the creditor in the collection of delinquent accounts.

Town of Collierville

Pat Vaughn or Rae Dowdy
156 N. Rowlett
Collierville, TN 38017
901/457-2582

City of Germantown

Ralph T. Gabb
1930 S. Germantown Road
Germantown, TN 38138
901/757-7280
rgabb@germantown-tn.gov

Paragon Bank

Andy Taylor
6300 Poplar, Suite 117
Memphis, TN 38119
901/273-2900

Collins Financial Services, Inc.

c/o Tina Thomas
2101 W. Ben White Blvd., Suite 103
Austin, TX 78704
512/347-1492
tinathomas@paragonwayinc.com

Unifund

Jeff Schaffer or Morgan Smith
10625 Techwoods Circle
Cincinnati, OH 45254
513/489-8877

Professional Account Services

c/o Dennis Bennett
3 Maryland Farms, Suite 300
Brentwood, TN 37027
800/755-5152
Dennis_bennett@chs.net

BOND'S ARE BONDED BY

American Lawyers Quarterly

Thomas W. Hamilton
853 Westpoint Parkway, Suit 710
Cleveland, OH 44145-1532
800/843-4000 ext 102

General Bar

Charles J. Sonnhalter
25000 Center Ridge Road
Cleveland, OH 44145-4108
440/835-2000

The National List

P.O. Box 2486
Bismarck, ND 58502-2486
800/227-1675

ADDITIONAL INFORMATION

Special Listings:

Paul Mendelson:

Commercial Law League of America

Past President

- Past Chair, Southern District
- Past Board Member
- Member, Creditors Rights Executive Committee
- Member, Bankruptcy and Insolvency Sections
- Represented CLLA throughout the US at numerous creditor-related conventions including:
 - American Corporate Counsel Meeting
 - National Association of Credit Management
 - National Conference of Bankruptcy Judges
 - Commercial Law League/Institute of Credit Management European Credit Conference
 - Other Commercial Law League seminars throughout the US annually

David Mendelson:

- Commercial Law League of America:
 - Chair, Young Members Section
 - Chair-Elect, Young Member Section
 - Secretary, Young Member Section
 - Treasurer, Young Member Section
 - Served two (2) terms Executive Council of the CLLA
 - Past Chair, Southern Region; Current Executive Council 2007 Southern Region
- Tennessee Bar Association Creditor's Rights Section (Executive Council Member)
- Board Member, The RISE Foundation
- Board Member, Baron Hirsch Synagogue
- National Association of Retail Collection Attorneys
- National Association of Subrogation Professionals
- National Association of Chapter 13 Professionals